

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LINDSAY L. CROGHAN-BUZARD,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 10-1023
)	
COMMISSIONER OF SOCIAL SECURITY,)	
)	
Defendant.)	

O R D E R

AND NOW, this 3rd day of January, 2012, upon consideration of the parties' cross-motions for summary judgment, the Court, upon review of the Commissioner of Social Security's final decision, denying plaintiff's claim for disability insurance benefits under Subchapter II of the Social Security Act, 42 U.S.C. §401, et seq., and denying plaintiff's claim for supplemental security income benefits under Subchapter XVI of the Social Security Act, 42 U.S.C. §1381, et seq., finds that the Commissioner's findings are supported by substantial evidence and, accordingly, affirms. See 42 U.S.C. §405(g); Jesurum v. Secretary of U.S. Department of Health & Human Services, 48 F.3d 114, 117 (3d Cir. 1995); Williams v. Sullivan, 970 F.2d 1178, 1182 (3d Cir. 1992), cert. denied sub nom., 507 U.S. 924 (1993); Brown v. Bowen, 845 F.2d 1211, 1213 (3d Cir. 1988). See also Berry v. Sullivan, 738 F. Supp. 942, 944 (W.D. Pa. 1990) (if supported by substantial

evidence, the Commissioner's decision must be affirmed, as a federal court may neither reweigh the evidence, nor reverse, merely because it would have decided the claim differently) (citing Cotter v. Harris, 642 F.2d 700, 705 (3d Cir. 1981)).¹

Therefore, IT IS HEREBY ORDERED that plaintiff's Motion for Summary Judgment (document No. 7) is DENIED and defendant's Motion for Summary Judgment (document No. 10) is GRANTED.

s/Alan N. Bloch
United States District Judge

ecf: Counsel of record

One point must be addressed further. The Administrative Law Judge ("ALJ") noted that, in August of 2008, Plaintiff reported a substantial decrease in her depression symptoms to the treating professional at Family Services of Western Pennsylvania. (R. 14, 18). Plaintiff repeatedly asserts in her briefs that this statement is "belied by the record, which shows that she continued to described [sic] '7/10' depression in August 2008." (Pl.'s Br. Summ. J. (Doc. No. 8) at 14). However, examination of the record demonstrates that the ALJ properly analyzed these reports. Plaintiff appears to have mistaken the stated *goal* of treatment - which was established at the beginning of treatment and sets forth her starting level of depression - for the actual *progress* recorded by Family Services and noted by the ALJ. A closer review of the reports than the one apparently performed by Plaintiff clearly shows a decrease in her level of depression from 7 (her starting level) to 3 or 4. (R. 212, 214, 217, 221).